

In re: Gerald H. Negley
Serial No. 10/811,752
Filed: March 29, 2004
Page 4

Remarks

This is in response to the final Office Action mailed April 9, 2008, in the above-referenced application. Applicant notes with appreciation the allowance of Claim 12 and the indication of the allowability of Claim 48 if rewritten in independent form.

The Examiner maintains the rejections of record of the remaining claims. Applicant respectfully disagrees with the Examiner for the reasons of record and is cancelling the rejected claims and rewriting Claim 48 into independent form solely to advance this matter to allowance. Accordingly, the amendments are made without any disclaimer by Applicant or prejudice to the filing of any continuation or divisional applications to the cancelled claims. Applicant further respectfully submits that the amendments do not affect the scope of protection afforded Applicant, including any scope of protection available under the doctrine of equivalents.

The foregoing amendments do not raise new issues for consideration but merely cancel claims or present an allowable dependent claim into independent format. Accordingly, Applicant respectfully requests entry of the amendments and submits that the present application is in condition for allowance, which action is respectfully solicited. Should the Examiner have any questions regarding the foregoing, it is respectfully requested that the Examiner contact the undersigned at his convenience to expedite examination and allowance of this matter.

It is not believed that extensions of time or fees for net addition of claims are required beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 50-0332.

In re: Gerald H. Negley
Serial No. 10/811,752
Filed: March 29, 2004
Page 5

Respectfully submitted,
/ss/ Melissa B. Pendleton
Melissa B. Pendleton
Reg. No. 35,459

021176
Summa, Allan & Additon, P.A.
11610 North Community House Road, Suite 200
Charlotte, NC 28277-2162
Telephone: 704-945-6700
Facsimile: 704-945-6735
S:\FIRM DOCS\5000\197\Amendment AF 061608.doc